

Amendments to the Claims:

Please amend the claims as follows:

1-33. (Canceled)

34. (Currently Amended) A frozen dessert product comprising a single phase pellet said single phase being a solid phase, said pellet consisting essentially of ~~formed from~~ a premix comprising ~~from~~ 6% to 7.5% ~~total~~ sugar content, and 0.025% to about 0.075% artificial sweetener, said pellet resulting from said premix being introduced into a cryogen as a small individual volume of liquid, then completely freezing, said pellet remaining ~~a single phase product~~ in a pellet form at a temperature of from about -25°C to about -5°C without fusing to another pellet.

35. (Canceled)

36. (Previously Presented) The frozen dessert product according to claim ~~[[35]]~~ 34 wherein said pellet does not fuse to another pellet while said pellets remain a single phase product.

37. (Currently Amended) The frozen dessert product of claim 34 wherein said pellet consists ~~essentially~~ of premix without the presence of a bulking agent.

38. (Canceled)

39. (Currently Amended) The frozen dessert product according to claim ~~38~~ 34 wherein said single phase pellet remains frozen at a temperature of about -18°C to about -20°C.

40. (Canceled)

41. (Currently Amended) The frozen dessert product according to claim ~~38~~ 34 wherein said single phase pellet remains frozen at a temperature of about -15°C to about -18°C.

42-46. (Canceled)

47. (Currently Amended) The frozen dessert product according to claim [[46]] 34

wherein said pellet has a melting temperature of about -5°C to about -10°C.

48-50. (Canceled)

51. (Currently Amended) The frozen dessert product according to claim [[50]] 34

wherein said single phase pellet remains frozen at a temperature of about -18°C to about -20°C.

52. (Canceled)

53. (Currently Amended) The frozen dessert product according to claim [[50]] 34

wherein said single phase pellet remains frozen at a temperature of about -15°C to about -18°C.

54-57. (Canceled)

58. (Currently Amended) A method of forming a single phase dessert product, the method comprising the ~~step~~ steps of:

introducing a premix into a body of liquid cryogen as a small individual volume of liquid to form a single phase pelletized dessert product wherein said pelletized dessert product consists of a premix without the presence of a bulking agent;

said small individual volume of liquid completely freezing after it is introduced to said body of liquid cryogen to form a solid phase pellet consisting essentially of premix;

~~wherein the said~~ premix comprises comprising an artificial sweetener in the amount of about 0.025% to about 0.075% of the premix; and

further wherein the single phase dessert product, can be stored at a temperature of from about -5°C ~~to about -35°C~~ -25°C to about -5°C while remaining ~~maintaining its structural integrity~~ in a solid phase.

59. (Currently Amended) The method of claim 58, wherein the premix further comprises a sucrose or sucrose equivalent content ~~sweetener~~ of about 6.0% to 7.5% of the premix.

60. (Previously Presented) The method of claim 59, wherein the sweetener is sucrose or a corn sweetener.

61. (Previously Presented) The method of claim 58, wherein the artificial sweetener is sucralose, aspartame, saccharin, acesulphame K and combinations thereof.

62. (Previously Presented) The method of claim 58, wherein the dessert product is ice cream, sorbet, sherbet, water ice, ice milk or frozen yogurt.

63-69. (Canceled)

70. (Previously Presented) The method of claim 58, wherein the premix contains from about 0.03% to about 0.07% artificial sweetener.

71. (Previously Presented) The method of claim 58, wherein the premix contains from about 0.04% to about 0.06% artificial sweetener.

72. (Previously Presented) The method of claim 58, wherein the premix contains 0.025% to about 0.075% sucralose.

73-75. (Canceled)

76. (Previously Presented) The method of claim 58, wherein the pelletized dessert product can be stored at a temperature of from about -5°C to about -10°C.

77. (Canceled).

78. (Currently Amended) A pelletized dessert product produced by the method of claim 58, wherein said dessert product can be stored at a temperature of from about -5°C to about -25°C while maintaining a pelletized structure.

79. (Canceled)

80. (Currently Amended) A frozen dessert product comprising a single phase pellet formed from a premix comprising from 3.6% to 7.2% ~~suerose~~ sugar, said pellet resulting from said premix being introduced into a cryogen, said pellet consisting essentially of pre-mix and remaining a single phase solid product at a temperature of from between about -15 and about -25 degrees Celsius without fusing to another pellet .

81. (Currently Amended) A frozen dessert product comprising a single phase pellet formed from a premix, said premix containing no bulking agents, said premix comprising from 7.5% to 8.5% total sucrose and sucrose equivalent content said pellet resulting from said premix being introduced into a cryogen, said pellet consisting essentially of pre-mix and remaining a single phase product at a temperature of about -25 degrees Celsius to about -5 degrees Celsius without fusing to another pellet.

82. (Currently Amended) A method of forming a frozen dessert product comprising introducing ~~droplets~~ small individual volumes of liquid of a premix, containing no bulking agents into a cryogen said premixing comprising from 7.5% to 8.5% total sucrose and sucrose equivalent content, said premix forming said ~~droplet~~ frozen dessert product in a single phase pellet in said cryogen, said pellet consisting essentially of pre-mix, said pellet remaining a single phase product at a temperature from about -25 degrees Celsius to about -5 degrees Celsius.

83. (Currently Amended) A method of forming a single phase dessert product, the method comprising the ~~step~~ steps of:

Introducing a premix into a body of liquid cryogen to form a single phase pelletized dessert product, said premix containing no bulking agent;

Said premix comprising an artificial sweetener in the amount of about .025% to about .075% of the premix and between 3.6% to 7.2% total sucrose and sucrose equivalent content; and

Further wherein the single phase dessert product consisting essentially of pre-mix can be stored at a temperature of from about ~~-5 degrees Celsius to about -25 degrees Celsius~~ -25 degrees Celsius to about -5 degrees Celsius.

84. (Currently Amended) A frozen dessert product comprising a single phase pellet ~~formed~~ consisting essentially of a pre-mix ~~from a premix~~, said premix containing no bulking agent, said premix comprising from ~~3.6% to 1.2%~~ 1.2% to 3.6% total sucrose and sucrose equivalent content said pellet resulting from said premix being introduced into a cryogen, said pellet remaining a single phase solid product at a temperature of from between about ~~-15 and about -25~~ -25 and about -15 degrees Celsius without fusing to another pellet.

85. (New) A frozen dessert product comprising a single phase pellet consisting essentially of a pre-mix, said premix containing no bulking agent, said premix comprising from 0% to 1.2% total sucrose content said pellet resulting from said premix being introduced into a cryogen, said pellet remaining a single phase solid product at a temperature of from between about -20 and about -15 degrees Celsius without fusing to another pellet.

86. (New) A frozen dessert product comprising a single phase pellet consisting of essentially of a premix said pellet being formed by introducing said premix into a cryogen as a small individual volumes of liquid said cryogen freezing said premix to

forma single phase pellet, said pellet remaining in a solid phase at temperature of from -25°C to -5°C without fusing to an adjacent pellet stored there with.

87. (New) The frozen product according to claim 86 wherein the product can be stored at a temperature of -25°C to -20°C without agglomerating with adjacent pellets.

88. (New) The frozen dessert product according to claim 86 where the product is structurally stable when stored in a retail or home freezer.

89. (New) The frozen dessert product accordingly to claim 86 wherein the storing and serving temperatures of the pellets is similar to bulk ice cream products.

90. (New) The frozen dessert product according to claim 87 wherein the pellet is in a single phrase said single phase consisting essentially of a solid.

91. (New) The frozen dessert product according to claim 86 wherein said pellet has a melting point between approximately -25°C and above-15°C.

92. (New) The frozen dessert product according to claim 86 said pellet has a melting point between approximately to -10°C about -6°C.

93. (New) The Frozen dessert product according to claim 86 wherein said pellet product can be stored in conventional commercial freezer at a temperature range utilized for bulk frozen dessert products while maintaining a pelletized structure.

94. (New) The frozen dessert product according to claim 86 wherein said pelletized dessert product can be stored in a home freezer having a temperature range of about -18°C to -15°C while maintaining a pelletized structure.

95. (New) The frozen dessert product according to claim 86 wherein the pelletized frozen dessert product can be stored in a home fridge type freezer having a temperature range of about -10°C to about -6°C while maintaining a pelletized structure.
96. (New) The frozen dessert product according to claim 86 wherein the pelletized frozen dessert product can be shipped in a commercial refrigerator freezer truck having a temperature of about -20°C to -18°C while maintaining a pelletized structure.
97. (New) The frozen dessert product according to claim 86 wherein said frozen dessert product can be stored in a retail store freezer while maintaining a pelletized structure.
98. (New) The frozen dessert product according to claim 97 wherein said frozen dessert product can be stored in a point of sale freezer for bulk frozen desserts while maintaining a pelletized structure.
99. (New) The frozen dessert product according to claim 86 wherein the pelletized product is an ice cream, sorbet, water ice, ice milk, sherbert or frozen yogurt.
100. (New) The frozen dessert product according to claim 86 wherein the frozen dessert product can be served at a thermally safe level without affecting the structural integrity of the pellets.
101. (New) The frozen dessert product according to claim 34 wherein said pellet remaining in a pellet form at a temperature of up to -5°C without fusing to another pellet.
102. (New) The method of forming a single phase dessert product according to claim 58 wherein the single phase dessert product, can remain in a pellet form at a temperature of up to -5°C without fusing to another pellet.
103. (New) The frozen dessert product according to claim 81 wherein said pellet

consisting essentially of pre-mix and remaining a single phase product at a temperature of up to -5 degrees Celsius without fusing to another pellet.

104. (New) The frozen dessert product according to claim 103 wherein said pellet remains a single phase product at temperatures from -20 degrees Celsius to -5 degrees Celsius without fusion to another pellet.

105. (New) The method of forming a single phase dessert product according to claim 102 wherein said pellet remains a single phase product at temperatures from -20 degrees Celsius to -5 degrees Celsius without fusion to another pellet.

106. (New) The frozen dessert product according to claim 101 wherein said pellet remains a single phase product at temperatures from -20 degrees Celsius to -5 degrees Celsius without fusion to another pellet.